

ORDINANCE NO. C-26-02

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING CHAPTER 26 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA; PROVIDING FOR PURPOSE; ESTABLISHING A SCHOOL ZONE SPEED ENFORCEMENT PROGRAM AND AUTHORIZING THE USE OF SPEED DETECTION SYSTEMS WITHIN THE CITY; PROVIDING FOR PROGRAM IMPLEMENTATION REQUIREMENTS; PROVIDING FOR DESIGNATION OF SCHOOL ZONES; PROVIDING FOR ENFORCEMENT PROCEDURES; PROVIDING FOR ANNUAL REPORTING REQUIREMENTS; PROVIDING FOR CORRECTION OF SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY, PROVIDING FOR REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

WHEREAS, on April 28, 2023, the Florida Legislature passed CS/CS/HB 657 ("HB 657"), authorizing cities to enforce the applicable speed limit on a roadway properly maintained as a school zone through the use of a speed detection system; and

WHEREAS, on May 31, 2023, the Governor signed HB 657 into law, which was then codified in Chapter 2023-174, Laws of Florida, taking effect on July 1, 2023; and

WHEREAS, HB 657 authorizes a city to place or install, or contract with a vendor to place or install, speed detection systems in accordance with specifications established by the Florida Department of Transportation; and

WHEREAS, HB 657 provides that a city may issue notices of violation and may authorize a law enforcement officer or traffic infraction enforcement officer to issue uniform traffic citations for violations of Sections 316.1895 and 316.183, Florida Statutes, that are captured by speed detection systems during specified time periods and further provides for notice to the registered owner of the subject vehicle, hearing procedures, appellate remedies, and the assessment and remittance of civil penalties; and

WHEREAS, HB 657 requires cities that elect to operate a school speed zone detection program to implement a public awareness campaign at least 30 days before commencing with the enforcement of violations and to annually report information about the program to both the public and the Florida Department of Highway Safety and Motor Vehicles; and

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WHEREAS, HB 657 restricts the location and use of speed detection systems to school zones that the City determines constitute a heightened safety risk warranting additional enforcement measures based on data or other evidence presented at a public hearing; and

WHEREAS, the City wishes to deter drivers from speeding through school zones and provide a supplemental means for the enforcement of unlawful speed violations by enacting an ordinance to implement a school zone speed enforcement program; and

WHEREAS, the Transportation and Mobility Department has collected and provided data to the City demonstrating that motor vehicles routinely exceed applicable school zone speed limits by more than 10 miles per hour in certain school zones within the jurisdiction of the City, and this data being incorporated by reference and submitted to the City Clerk as backup to this Ordinance at the time of adoption; and

WHEREAS, the City Commission has considered the traffic data and evidence provided by the Transportation and Mobility Department supporting the installation and operation of each proposed school speed zone detection system and has determined that each school zone where a speed detection system is to be placed or installed constitutes a heightened safety risk that warrants additional enforcement measures; and

WHEREAS, the City Commission finds that motor vehicles speeding in school zones are unacceptable hazards that threaten the health, safety, and welfare of students and pedestrians in the City, and that enforcement of applicable speed limits in school zones through the use of a speed detection system may reduce instances of speeding in school zones, the City Commission wishes to implement a school zone speed detection program pursuant to the rules and regulations of HB 657 and other applicable state law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Chapter 26 of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended by adding a new Article X "School Zone Speed Enforcement Act", as follows:

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ARTICLE X. - SCHOOL ZONE SPEED ENFORCEMENT ACT**Sec. 26-250. - Purpose and Intent.**

The purpose and intent of this Ordinance is to protect the health, safety, and welfare of the citizens of the City of Fort Lauderdale, especially students and their parents and/or legal guardians, and school employees, by authorizing the placement or installation and use of speed detection systems on roadways within the jurisdiction of the City, to promote compliance with speed limits in school zones, and to adopt a quasi-judicial system to enforce violations. This Ordinance provides a supplemental means of enforcing unlawful speed violations in school zones and shall not prohibit a law enforcement officer from issuing a uniform traffic citation for a traffic violation in accordance with Chapter 316, Florida Statutes.

Sec. 26-251. - Definitions.

The following terms, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

- (a) MOTOR VEHICLE shall mean, as defined by section 316.003, Florida Statutes, a self-propelled vehicle not operated upon rails or guideway, but not including any bicycle, electric bicycle, motorized scooter, electric personal assistive mobility device, mobile carrier, personal delivery device, swamp buggy, or moped.
- (b) SCHOOL ZONE shall mean that portion of a street or highway established as a school zone pursuant to section 316.1895, Florida Statutes, as it may be amended.
- (c) SPEED DETECTION SYSTEM shall mean a portable or fixed automated system used to detect a motor vehicle's speed using radar or LiDAR and to capture a photograph or video of the rear of a motor vehicle that exceeds the speed limit in force at the time of the violation. This term is synonymous with the term "Speed Detection System" defined in section 316.003(83), Florida Statutes, as it may be amended.

Sec. 26-252. - Authorizing Use of Speed Detection Systems.

Pursuant to section 316.008(9), Florida Statutes, the City of Fort Lauderdale hereby elects to use speed detection systems to enforce school zone speed limits within the City's jurisdiction. The City may utilize speed detection systems as a supplemental means of monitoring the

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speed of vehicles and assisting law enforcement personnel in the enforcement of laws related to unlawful speed in school zones, in accordance with Chapter 316, Florida Statutes.

Sec. 26-253. - Implementation of Speed Limit Detection Systems in School Zones.

- (a) In accordance with the provisions of Chapter 2023-174, Laws of Florida as of the effective date of this Ordinance, the City authorizes the implementation of the provisions and requirements of sections 316.008 and 316.1896, Florida Statutes. The City Manager or the City Manager's designee is hereby authorized to implement speed detection systems within the jurisdiction of the City consistent with the placement and installation specifications established by the Florida Department of Transportation, as such may be amended from time to time, to enforce unlawful speed violations, as specified in sections 316.1895 and 316.183, Florida Statutes, on roadways maintained as school zones.
- (b) Traffic Infraction Enforcement Officers. Pursuant to section 316.1896, Florida Statutes, a traffic infraction enforcement officer under section 316.640, Florida Statutes, is authorized to issue uniform traffic citations for violations of sections 316.1895 and 316.183, Florida Statutes, as authorized by 316.008(9), Florida Statutes.
- (c) Notices, Penalties and Appeals. The City Manager or City Manager's designee shall provide notices of violation, assess penalties, remit applicable portions of assessed penalties, and provide for hearing procedures and appeals consistent with the requirements of Section 316.1896, Florida Statutes, and Chapter 2023-174, Laws of Florida, as such may be amended from time to time.
- (d) Signage and Public Awareness Campaign. Pursuant to section 316.0776, Florida Statutes, before notices of violation for school zone speed infractions may be issued, a public announcement and 30-day public awareness campaign of the proposed use of speed detection systems must be conducted. The City Manager or City Manager's designee shall post signage and conduct a public awareness campaign regarding the placement or installation of speed detection systems consistent with the requirements of Section 316.0776, Florida Statutes, and Chapter 2023-174, Laws of Florida, as such may be amended from time to time.
- (e) Reporting. The City Manager or City Manager's designee shall comply with the reporting requirements of Section 316.0776, Florida Statutes, and Chapter 2023-174, Laws of Florida, as such may be amended from time to time.

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Sec. 26-254. - Designation of Local Hearing Officer.

As permitted and defined by applicable law, the City designates its currently appointed Code Enforcement Special Magistrates, or any other Special Magistrate appointed by the City Manager or City Manager's designee, as its Local Hearing Officer, who shall have jurisdiction to conduct proceedings in accordance with Chapter 2023-174, Laws of Florida and Section 316.1896, Florida Statutes, as such may be amended from time to time.

Sec. 26-255. - Determination of Heightened Safety Risk and Designation of School Zones.

The City Commission finds that based upon the traffic data and evidence presented to them at public hearing, it is appropriate to utilize speed limit detection systems at the following school zone locations due to the heightened safety risk that warrants additional enforcement procedures pursuant to Section 316.008, Florida Statutes:

Bayview Elementary

- Bayview Drive from NE 11th Street to north of NE 12th Street
- NE 12th Street from Middle River Drive to Bayview Drive

Cardinal Gibbons High School

- Bayview Drive from north of NE 47th Street to NE 44th Street
- NE 47th Street from NE 26th Avenue to NE 30 Terrace

Sunrise Middle

- NE 17th Avenue from NE 13th Street to NE 14th Street
- NE 13th Street from west of NE 17th Avenue to Victoria Park Road
- NE 14th Street from west of NE 17th Avenue to NE 17th Way

Fort Lauderdale High

- NE 16th Street from east of SR 811 to west of NE 7th Avenue
- SR 811 from south of NE 16th Street to south of NE 17th Court
- NE 16 Court from NE 5th Terrace to NE 7th Avenue

Thurgood Marshall Elementary

- SR 845 from north of NW 12th Street to south of NW 14th Street
- NW 13th Street from east of SR 845 to east of NW 7th Terrace

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- NW 7th Terrace from NW 13th Street to south of NW 12th Street

Virginia Shuman Young Elementary

- E Broward Boulevard from NE 9th Avenue to SE 11th Avenue
- NE 9th Avenue from E Broward Boulevard to north of NE 3rd Street
- NE 11th Avenue from E Broward Boulevard to NE 2nd Street
- NE 2nd Street from NE 7th Avenue to east of NE 11 Avenue

St. Thomas Aquinas High School

- SW 29th Avenue from SW 12th Street to north of SW 10th Street
- SW 10th Street from SW 29th Avenue to SW 27th Avenue
- SW 12th Street from west of SW 29th Avenue to east of SW 28th Avenue
- SW 28th Avenue from south of SW 12th Street to north of SW 10th Street

Sunland Park Academy

- NW 9th Street from NW 13th Avenue to east of NW 14th Terrace
- NW 16th Avenue from south of NW 9 Street to south of NW 9th Place
- Sunrise Boulevard from east of NW 16th Avenue to NW 12th Avenue
- NW 13th Avenue from north of NW 9th Street to south of Sunrise Boulevard

Walker Elementary

- NW 10th Avenue from NW 4th Street to south of NW 5th Court
- NW 5th Street from NW 12th Avenue to west of NW 9th Avenue
- NW 11th Terrace from north of NW 4th Street to south of NW 5th Street
- NW 4th Street from NW 11th Terrace to NW 10th Avenue

Croissant Park Elementary

- SW 17th Street from east of SW 6th Avenue to east of SW 3rd Avenue
- SW 4th Avenue from SW 19th Street to south of SW 16th Court
- W Park Drive from east of SW 19th Street to west of Park Lane

Harbordale Elementary

- SE 10th Avenue from south of SE 15th Street to SE 16th Court
- SE 15th Street from west of Miami Road to west of SE 10th Avenue
- Miami Road from south of SE 16th Street to north of SE 15th Street

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Stranahan High

- Riverside Drive from south of SW 9th Street to north of SW 5th Place
- SW 5th Place from Riverside Drive to west of SW 16th Avenue
- SW 9th Street from Riverside Drive to east of SW 16th Avenue

SECTION 2. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 3. At the direction of the City Attorney, the publisher of the Code of Ordinances of the City of Fort Lauderdale, Florida, is authorized to conform chapter, article, section, subsection, and clause numbers and letters, and capitalization, set forth in the Code of Ordinances of the City of Fort Lauderdale, Florida, and to correct any non-substantive scrivener's errors in the codification of this Ordinance without the need for a public hearing.

SECTION 4. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 5. That this Ordinance shall be in full force and effect upon final passage.

PASSED FIRST READING this 6th day of January, 2026.

PASSED SECOND READING this _____ day of _____, 2026.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

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